

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

AMON SYLVESTER,
Petitioner

v.

MICHAEL BELLIZI,
Respondent

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File No. 1:08-CV-104

ORDER

The Magistrate Judge's Report and Recommendation was filed June 17, 2008. (Paper 6.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Petitioner's Motion for Release Pending Decision (Paper 4) and Expedited Motion for Release (Paper 5) are DENIED.

This matter is returned to Magistrate Judge Jerome J. Niedermeier for further proceedings.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 15th day of July, 2008.

/s/ J. Garvan Murtha

J. Garvan Murtha
United States District Judge